

REMARKS

This amendment is being filed in response to the Office Action dated July 18, 2006. In the outstanding Action, the Examiner asserts that Applicant's prior Response to Office Action, filed on April 7, 2006, was non-responsive because it cancels all claims drawn to the elected invention and presents only claims drawn to a non-elected invention.

In response, Applicant has above cancelled each of the previously-submitted claims 91-122 without prejudice, and has above presented new claims 123-154, of which claims 123 and 130 are independent claims. Consideration of these claims and speedy allowance of the present application is respectfully requested. For the Examiner's convenience, Applicant would draw the Examiner's attention to the recitation in independent claim 123 of a method including the feature: "wherein the empirical isotopic data does not include data obtained from a taggant." Applicant submits that the method recited in independent claim 123, including this feature, is not taught or suggested by the prior art of record, and is patentable over the prior art. The second independent claim is claim 130, which recites a method "wherein the empirical isotopic data comprises empirical isotopic data for at least one isotope of an element selected from the group consisting of carbon, hydrogen, nitrogen, oxygen and sulfur." Applicant submits that the method recited in independent claim 130, including this feature, is not taught or suggested by the prior art of record, and is patentable over the prior art.

Each of the remaining claims is dependent, either directly or indirectly, from one of independent claims 123 or 130, and is believed to be in condition for allowance for at least the same reasons that the subject matter of claims 123 and 130 is patentable, and for additional reasons. Exposition on additional reasons is, however, not believed to be necessary due to the clear patentability of claims 123 and 130.

Consideration of new claims 123-154 is respectfully requested. Applicant submits that new claims 123-154 satisfy all requirements of 35 U.S.C. 112 and define subject matter that is novel and nonobvious under 35 U.S.C. 102 and 103 over the art of record. Applicant therefore respectfully submits that the application is in form for allowance, and respectfully solicits the prompt issuance of a Notice of Allowance.

Respectfully Submitted,



Gregory B. Coy, Reg. No. 40,967
Krieg Devault LLP
One Indiana Square
Suite 2800
Indianapolis, IN 46204-2079
Telephone: (317) 636-4341
Facsimile: (317) 636-1507